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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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SURINDER SINGH,	: ECF CASE
Plaintiff,	:
v.	: <b>NOTICE OF MOTION</b>
EMILIO GONZALEZ, Director of the U.S. Bureau of Citizenship and Immigration Services, <u>et al.</u> ,	: 07 Civ. 6178 (SCR)
Defendants.	:
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PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, the Declaration of Wendy H. Waszmer, dated November 16, 2007, and upon all the pleadings heretofore filed in this action, defendants Emilio Gonzalez, Director of the United States Bureau of Citizenship and Immigration Services ("CIS"), Michael B. Mukasey, Attorney General of the United States,<sup>1</sup> Kevin D. Rooney, Director of the Executive Office for Immigration Review, and Julie L. Meyers, Assistant Secretary of the United States Immigration and Customs Enforcement ("ICE") (collectively, the "Defendants"), by and through

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<sup>1</sup> Plaintiff's Complaint names former Attorney General Alberto Gonzales as a defendant in this action. Pursuant to Federal Rule of Civil Procedure 25(d), Attorney General Michael B. Mukasey is automatically substituted as a defendant.

their attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, move this Court for an order dismissing the Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York  
November 16, 2007

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